

TENNESSEE ALCOHOLIC BEVERAGE COMMISSION

**Minutes
September 28, 2006
1:00 p.m.**

ADDENDUM

1. RETAIL STORES

a. THE WINE SELLER FRANKLIN, TENNESSEE (WILLIAMSON COUNTY)

Licensee: Liquid Investments, Inc.
Stockholders: Timothy Reid Lundy, Thom Anderson, Kelly Lewis

Liquid Investments, Inc. is currently operating the retail establishment located at 545 Cool Springs Boulevard, Suite 125 in Franklin, Tennessee. They wish to transfer location to 1400 Liberty Pike, Suite 300 in Franklin, Tennessee. The request is based upon the changes in customer traffic patterns due to a change in anchor stores located at the strip mall: the anchor store changed from a Harris Teeter to a Circuit City, and has resulted in a 40% reduction in business for the past two years. Issue: proper documentation was not submitted by the cut-off date for the agenda, and, through no fault of the licensee, the certificate of compliance was not heard on the date reflected in the newspaper notice. All documentation has been submitted with the exception of the following:

- a. Deed to property; and
- b. Use and Occupancy permit.

Discussion/Action Taken:

Kelly Lewis was present at the meeting. Mr. Lewis stated the city of Franklin had lost the paperwork for his Certificate of Compliance and therefore they had not been placed on the agenda for the City of Franklin. Mr. Lewis requested that the Commission hear his matter so they could open within the next two weeks. Director Elks stated that the first issue before the Commission is if the Commission wishes to hear the matter as an Addendum and then take up the issue of the transfer of location. Commissioner Mathews made a motion to hear the matter. Commissioner Bond seconded the motion and it passes with 3 ayes.

Mr. Lewis stated that the City of Franklin held a special meeting on September 27 2006 and that the Wine Cellar did receive their Certificate of Compliance. Director Elks stated that the staff did receive a letter from the

City of Franklin stating that they were at fault and the matter should have been on their agenda. She stated that the staff has received all documentation with the exception of the Deed and the Use and Occupancy.

Commissioner Mathews made a motion to hear the transfer of location upon receipt of the pending documentation. Commissioner Bond seconded the motion and it passed with 3 ayes.

2. ADMINISTRATIVE CITATIONS

a. Juan Aguilar Estrada

On August 15, 2006, Respondent sold an alcoholic beverage to an undercover minor informant in violation of T.C.A. §57-4-203(b). The alleged incident took place at Garcia's Restaurant. TABC Agent Larkins issued an administrative citation to Respondent. To date, this citation remains unpaid.

Discussion/Action Taken:

SA Mathew Larkins was present at the meeting. Commissioner Mathews made a motion to hear the matter of the administrative citation. Commissioner Bond seconded the motion. The motion passed with 3 ayes.

Director Elks stated that on August 15, 2006 SA Larkins sent a minor confidential informant into Garcia's to purchase an alcoholic beverage. SA Larkins stated that the minor was 19 years of age. SA Larkins observed the minor order the alcohol beverage from Juan Estrada. Mr. Estrada obtained the alcohol and placed the alcoholic beverage in front of the minor informant and at that point SA Larkins advised the minor to leave and confronted Juan Estrada and wrote him an administrative citation for the sale of alcoholic beverages to a minor. The administrative citation was issued in the amount of \$250.00. Director Elks stated that Juan Estrada was not present at the meeting today.

Commissioner Bond made a motion to uphold the action of the staff. Commissioner Mathews seconded the motion and it passed with 3 ayes.

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There being no further business the meeting was adjourned.

Shari Danielle Elks
Executive Director

John A. Jones
Chairman